

IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF FLORIDA  
GAINESVILLE DIVISION

STEVE R. TABOR,

Plaintiff,

vs.

1:11-cv-37-MP-GRJ

MICHAEL J. ASTRUE,  
Commissioner of Social Security,

Defendant.

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**SCHEDULING ORDER**

This Social Security appeal came on for consideration pursuant to an order of reference to the United States Magistrate Judge under 28 U.S.C. § 636(b)(3) and Local Rule 72.2(D). The Court has reviewed the Answer filed by the Commissioner and, accordingly, it is:

**ORDERED** that counsel shall confer in person or by telephone to discuss whether the parties consent to the United States Magistrate Judge conducting all further proceedings in this case, including entry of final judgment, with appeal to the United States Court of Appeals for the Eleventh Circuit. If the parties consent to the United States Magistrate Judge conducting all further proceedings, the parties shall file a Consent Form. Absent consent, the United States Magistrate Judge will prepare a report and recommendation to the United States District Judge. It is:

**FURTHER ORDERED** that, on or before the following dates, the parties shall file and serve a brief setting forth concisely the basis for the affirmance or reversal of the

final decision of the Commissioner, and a detailed analysis of the administrative record, **with citation of authorities in support of the party's position, and to the administrative record:**

**PLAINTIFF: July 11, 2011**

**COMMISSIONER: September 9, 2011**

Oral argument is not a necessary part of the review process, and the Court normally determines Social Security appeals on the basis of the briefs without oral argument. Motion practice in accordance with Rule 12(c) (judgment on the pleadings) or Rule 56 (summary judgment) of the Federal Rules of Civil Procedure is inappropriate. Similarly, Plaintiff may seek remand in the brief, but should not file a separate motion to remand.

**DONE AND ORDERED** this 10<sup>th</sup> day of May, 2011.

*s/ Gary R. Jones*

GARY R. JONES  
United States Magistrate Judge